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## **LAW ON SERVICES OF THE REPUBLIC OF LITHUANIA**

No XI-570, 15 December 2009

Vilnius

### **CHAPTER ONE GENERAL PROVISIONS**

#### **Article 1. Purpose, Scope and Principles of the Law**

1. This Law shall set out conditions for exercising the freedom of establishment, the freedom to provide services and the freedom to exercise the economic activity of service provision, while creating preconditions for ensuring a high quality of services. This Law also establishes the principles governing the exercise of the said freedoms, measures for administrative simplification in the Republic of Lithuania as well as a system of administrative cooperation between the competent authorities of the Republic of Lithuania and the competent authorities of the Member States as well as the European Commission in order to ensure proper exercise of the freedom of establishment, the freedom to provide services and the freedom to pursue the economic activity of service provision.

2. This Law must be applied in compliance with the principles of non-discrimination, necessity and proportionality, as well as provisions of EU law and decisions of judicial institutions of the European Union, including preliminary rulings on the issues concerning the interpretation and validity of EU law.

3. This Law shall not apply to:

1) health care and pharmaceutical services that are provided to patients by health care institutions or specialists in order to determine, maintain or restore the patients' state of health in cases when the said services may be provided only by the specialists of a regulated health care profession;

2) financial services, such as the services of credit institutions, lending, insurance and re-insurance, occupational or personal pensions, securities, investment, funds, payment and investment advice, including the services listed in Annex 1 to this Law;

3) electronic communications services and networks, and associated facilities and services covered by the Law of the Republic of Lithuania on Electronic Communications in so far as it implements Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (OJ L 108, 24.4.2002, p. 7), as last amended by Common Position (EC) No 15/2009 adopted by the Council on 16 February 2009 (OJ C 103E , 5.5.2009, p. 1); Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (OJ L 108, 24.4.2002, p. 21), as last amended by Common Position (EC) No 15/2009 adopted by the Council on 16 February 2009 (OJ C 103E , 5.5.2009, p. 1); Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (OJ L 108, 24.4.2002, p. 33), as last amended by Common Position (EC) No 15/2009 adopted by the Council on 16 February 2009 (OJ C 103E , 5.5.2009, p. 1); Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and

services (OJ L 108, 24.4.2002, p. 51), as last amended by Common Position (EC) No 16/2009 adopted by the Council on 16 February 2009 (OJ C 103E, 5.5.2009, p. 40), and Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (OJ L 201, 31.7.2002, p. 37), as last amended by Common Position (EC) No 16/2009 adopted by the Council on 16 February 2009 (OJ C 103E, 5.5.2009, p. 40);

4) transport services, falling within the scope of Title V of the Treaty establishing the European Community, including port services;

5) services of temporary employment agencies;

6) audiovisual services, including cinematographic services, whatever their mode of creation (production), distribution and transmission, and radio broadcasting;

7) gambling activities which involve wagering a stake with pecuniary value in games of chance, including lotteries, gambling in casinos and betting transactions;

8) activities which are connected with the exercise of official authority as set out in Article 45 of the Treaty establishing the European Community;

9) social services relating to social housing, childcare and support of families and persons permanently or temporarily in need which are provided by the State, by providers mandated by the State or by charities;

10) private security services;

11) services provided by notaries and bailiffs.

4. This Law shall not apply to the field of taxation and tax administration.

5. In the case of conflict of this Law with other legislative acts, the provisions of this Law shall prevail, except when this Law grants priority to the provisions of other laws.

6. This Law implements the legal act of the European Union specified in Annex 4 to this Law.

## **Article 2. Main definitions for the purposes of this Law**

1. **Recipient** shall mean a national of the Republic of Lithuania or another Member State, any other natural person who benefits from the rights of movement within Member States conferred upon him by European Union legal acts, or a legal person or any other organisation established in the Republic of Lithuania or in another Member State, as well as their branches, which receive or wish to receive a service.

2. **Establishment** shall mean the actual pursuit of an economic activity by the provider in the Republic of Lithuania or another Member State for an indefinite period and through infrastructure (building, installation and alike) from where the business of providing services is carried out, as referred to in Article 43 of the Treaty establishing the European Community.

3. **Member State of establishment** shall mean the Member State in whose territory the provider is established.

4. **Point of single contact** shall mean the public legal person authorised by the Government of the Republic of Lithuania which, in cooperation with the competent authorities of the Republic of Lithuania, shall provide the information specified in this Law to providers and recipients, and ensure the possibility of completing all procedures and formalities relating to access to service activities and to the exercise thereof by electronic means, as well as perform other functions assigned to it by this Law.

5. **Liaison point** shall mean the state institution of the Republic of Lithuania authorised by the Government of the Republic of Lithuania, which shall coordinate administrative cooperation of the competent authorities of the Republic of Lithuania with the competent authorities of Member States and the European Commission carried out via the Internal Market Information System, also perform other functions assigned to it by this Law.

6. **Authorisation** shall mean a licence, confirmation, certification, certificate, attestation, diploma, notice, application, mandate, decision or any other similar document required for access to and the exercise of a service activity, an obligation to be entered in a state or departmental register (hereinafter referred to as a 'register') or to provide information prior to commencing service activities, as well as any other authorisation to exercise a service activity granted to a provider or authorisation to receive a service granted to a recipient.

7. **Authorisation scheme** shall mean any procedure under which a provider or recipient is in effect required to take steps in order to obtain from the competent authority of the Republic of Lithuania a formal authorisation or the authorisation referred to in paragraph 3 of Article 7 of this Law concerning access to a service activity or the exercise thereof.

8. **Lithuanian competent authority** shall mean the entity of public administration authorised in accordance with the procedure laid down by legal acts to carry out the administrative regulation of the activities of providers, exercise the supervision of their activities or to provide administrative services, as well as courts, professional organisations and associations whose decisions affect the activities of providers.

9. **Lithuanian provider** shall mean a national of a Member State, any other natural person benefiting from the rights of movement within Member States conferred upon him by European Union legal acts, who have the right to reside in the Republic of Lithuania, or a legal person established in the Republic of Lithuania or its branch, as well as a branch or subsidiary of a legal person or any other organisation established in the Republic of Lithuania, which offers or provides a service.

10. **Service** shall mean any self-employed economic activity, normally provided for remuneration, in so far as it is not governed by the provisions relating to freedom of movement for goods, capital or persons, as referred to in Article 50 of the Treaty establishing the European Community.

11. **Regulated profession** shall be interpreted as defined in paragraph 16 of Article 3 of the Law of the Republic of Lithuania on Recognition of Regulated Professional Qualifications.

12. **Requirement** shall mean any obligation, prohibition, condition or limit which affect the access to, or the exercise of, a service activity and which are provided for in laws and implementing legal acts or in consequence of case law, rules of professional organisations. The requirements which do not specifically regulate or specifically affect access to the service activity or exercise thereof but have to be respected by providers in the course of their economic activities in the same way as by individuals acting in their private capacity (such as road traffic rules, land use rules, town and country planning, building standards as well as administrative penalties imposed for non-compliance with such rules) as well as rules laid down in collective agreements negotiated by the social partners shall not be seen as requirements.

13. **Overriding reasons relating to the public interest** shall mean reasons provided for in the European Union law which may justify the establishment of requirements, including public policy, public security, public safety, public health, preserving the financial equilibrium of the social security system, the protection of consumers, recipients and workers, fairness of trade transactions, fight against crime, the protection of the environment and the urban environment, the health of animals, intellectual property, the conservation of the national historic and artistic heritage, social policy objectives and cultural policy objectives.

14. **Provider** shall mean a Lithuanian provider or a Member State provider.

15. **Member State** shall mean any Member State of the European Union or another country of the European Economic Area.

16. **Member State where the service is provided** shall mean the Member State where the service is temporarily supplied by a Lithuanian provider.

17. **Competent authority of a Member State** shall mean any body or authority which has a supervisory or regulatory role in a Member State in relation to service activities, such as administrative authorities, courts, professional organisations and associations which, in the exercise of their legal autonomy, regulate access to service activities or the exercise thereof, except for the competent authority of the Republic of Lithuania.

18. **Member State provider** shall mean a national of a Member State, any other natural person who benefits from the rights of movement within Member States conferred upon him by European Union legal acts, or a legal person established in a Member State, any other organisation or their branches, which offer or provide a service.

19. **Internal Market Information System** (hereinafter referred to as the 'IMI system') shall mean the internal market information system of the European Union developed by the European Commission and designed for the exchange of information between the competent authorities of Member States (including the competent authorities of the Republic of Lithuania) in order to ensure efficient administrative cooperation in implementing the legal act of the European Union referred to in Annex 4 to this Law.

## **CHAPTER TWO EXERCISE OF THE FREEDOM OF ESTABLISHMENT**

### **Article 3. Requirements that must be excluded from the legislation governing the freedom of establishment**

To ensure the freedom of establishment, the legislation of the Republic of Lithuania cannot contain the following requirements in relation to access to exercise of service activities:

1) requirements directly or indirectly discriminating a provider on grounds of nationality, residence or Member State of establishment, including nationality requirements imposed on a provider, its staff or participants as well as members of its management and supervisory bodies, also the requirement that a provider, its staff, members as well as members of its management and supervisory bodies should permanently reside in the territory of the Republic of Lithuania;

2) requirements prohibiting a provider having an establishment in more than one Member State or on being entered in the registers or enrolled with professional organisations or associations of more than one Member State;

3) limiting a provider's the right to choose whether to establish a legal person, a branch, an agency or a subsidiary in the Republic of Lithuania;

4) requirements that would grant Member State providers the right to exercise a service activity in the Republic of Lithuania under the conditions of reciprocity, where Member State providers are treated in the same way as Lithuanian providers are treated by that Member State;

5) requirements related to case-by-case application of an economic test to find proof of the existence of an economic need or market demand, or an assessment of the potential or current economic effects of the activity, or an assessment of the appropriateness of the activity in relation to the economic development objectives set by the Lithuanian competent authority; This prohibition shall No apply when justified by overriding public interests.

6) requirements permitting competing providers to participate, directly or indirectly, in decision-making by Lithuanian competent authorities regarding the issue of authorisations, including their participation in consulting activities, with the exception of trade unions, associations or other organisations acting as the Lithuanian competent authority in issuing authorisations or adopting other decisions of Lithuanian competent authorities. This prohibition does not apply to consultations of organizations unrelated to applications for specific authorisations, also to consultations with the public.

7) requirements to present a financial security or to enter into an insurance contract with a Lithuanian provider; This prohibition does not cover the requirement to present a financial security or to enter into an insurance contract with a Lithuanian provider;

8) requirements obliging a provider to have been registered with a Lithuanian register for a certain period of time in advance or to have exercised activities in Lithuania for a certain period of time.

#### **Article 4. Requirements applicable to the freedom of establishment**

1. To ensure the freedom of establishment, the requirements laid down in the legislation of the Republic of Lithuania in relation to access to exercise of service activities must respect the following principles:

1) the principle of non-discrimination, i.e. the requirements may not directly or indirectly discriminate against a provider on grounds of nationality, residence or Member State of establishment;

2) the principle of necessity, which means that requirements must be justifiable by overriding public interests;

3) the principle of proportionality, which means that requirements must be proportional and appropriate for the desired objective without restricting access to or exercise of service activities more than it is necessary to achieve the desired objective.

2. With the view of ensuring the freedom of establishment, requirements on access to, or the exercise of, a service activity shall be imposed by legal acts of the Republic of Lithuania so as to ensure that the following requirements comply with the principles set out in paragraph 1 of this Article:

1) quantitative or territorial restrictions, in particular in the form of limits fixed according to population or a minimum geographical distance between providers;

2) an obligation on a provider to take a specific legal form;

3) requirements for a provider regarding the minimum capital, qualification of the participants or other requirements affecting the right to become a member of a provider;

4) requirements restricting provision of certain services to certain providers (except the cases envisaged in the Law of the Republic of Lithuania on the Recognition of Regulated Professional Qualifications as well as cases specified in the European Union legislation);

5) the requirement that a provider should not be a member of more than one legal entity having a seat in the territory of the Republic of Lithuania;

6) requirements for a provider relating to a minimum number of employees;

7) requirements for a provider concerning minimum and/or maximum rates of the services provided;

8) a requirement that in addition to the service in question a provider should also provide other services.

3. When drafting a legal act, as well as upon the adoption of a legal act setting requirements referred to in paragraph 2 of this Article, the competent Lithuanian authority shall, in accordance with the procedure established by the Government of the Republic of Lithuania, communicate information on the establishment of such requirements to the state institution authorised by the Government of the Republic of Lithuania. This information shall be accompanied by a substantiation of compliance by the set requirements with the principles set out in paragraph 1 of this Article.

4. Upon receipt of the information referred to in paragraph 3 of this Article from the Lithuanian competent authority, the institution authorised by the Government of the Republic of Lithuania shall, in accordance with the procedure set by the Government of the Republic of Lithuania, notify the European Commission of the establishment of the requirements referred to in paragraph 2 of this Article and shall present proof of compliance by the set requirements with the principles set out in

paragraph 1 of this Article

**Article 5. Regulation of the procedure for granting authorisations applicable to access to, and the exercise of, a service activity**

The essential requirements concerning granting, suspension, lifting of suspension and termination of authorisations, also the requirements that must be observed in exercising the activities by the providers that have been granted an authorisation, shall be established pursuant to the principles laid down in Article 4 of this Law.

**Article 6. Conditions for the procedure for the granting, suspension, lifting of suspension and termination of authorisations**

1. The procedure laid down in legal acts for the granting, suspension, lifting of suspension and termination of authorisations shall be based on criteria that are:

- 1) non-discriminatory;
- 2) justified by an overriding reason relating to the public interest;
- 3) proportionate to that public interest objective;
- 4) clear and unambiguous;
- 5) objective;
- 6) made public in advance;
- 7) transparent and accessible.

2. Applications for authorisation must be dealt with objectively and impartially.

3. In those cases where authorisation is required before starting to provide services in the Republic of Lithuania, a provider shall not be required to satisfy again the same or essentially similar requirements and/or controls which that provider has already satisfied in another Member State or in the Republic of Lithuania while seeking another authorisation. Together with the application for authorisation, the provider shall submit to the Lithuanian competent authority, directly or via the point of single contact, all the necessary information about the requirements and (or) controls which the provider has satisfied in another Member State or in the Republic of Lithuania.

4. Decisions by the Lithuanian competent authorities on the granting, suspension, lifting of suspension and termination of authorisations must be justified.

5. Decisions by the Lithuanian competent authorities on the granting, suspension, lifting of suspension and termination of authorisations may be appealed against in accordance with the procedure prescribed in the laws of the Republic of Lithuania.

**Article 7. Time limits for granting authorisation**

1. The Lithuanian competent authority must grant authorisation or issue a written reasoned refusal to grant authorisation to the applicant no later than within 30 days except where the laws justifiably prescribe a longer period. This period shall begin on the day on which the point of single contact, or the Lithuanian competent authority if the applicant has applied directly to the Lithuanian competent authority, receives all the documents, in the correct form, and information necessary to obtain an authorisation.

2. In the exceptional cases specified by law, the period set in paragraph 1 of this Article may, for compelling reasons, be extended once for up to 30 days. In such a case, the Lithuanian competent authority that decided to extend the period referred to in paragraph 1 must, prior to the expiry of the period specified in paragraph 1 of this Article, notify the applicant of the extension of the term and the reasons for the extension.

3. If there is no response to a duly documented application for authorisation accompanied by all

the documents and information necessary for authorisation (hereinafter referred to as 'an application') during the period prescribed by law, authorisation shall be deemed to be granted except in the cases specified by law where failure to respond to an application for authorisation shall not be equated to granting of an authorisation and such an exception is justified by overriding public interest, including valid third-party interests.

4. The Lithuanian competent authority to which an application for authorisation is addressed shall, within five working days of receipt of the application, send the applicant a confirmation that the application has been received. The confirmation must specify:

- 1) the time limit during which the application must be examined;
- 2) the means of redress available to the applicant that may be used in the event of disputes between the Lithuanian competent authority and the applicant;
- 3) a statement that in the absence of a response within the period specified, the authorisation shall be deemed to have been granted, except in the cases specified by law, where failure to respond to an application for authorisation is not to be understood as granting of an authorisation.

5. If an applicant submits an incomplete or improperly documented application or fails to submit all of the required documents or information necessary for authorisation, the Lithuanian competent authority which has received the application shall, within five working days from the receipt of the application, inform the applicant of the need to submit the missing documents and information and of the fact that the time period for granting authorisation begins on the day when all the documents in the correct form and the information are properly submitted.

6. If an applicant's application is not satisfied due to failure to comply with the procedure prescribed by the legislation, the Lithuanian competent authority which received the application for authorisation shall, within five working days from the receipt of the application, send the applicant a notification of refusal to grant authorisation accompanied by relevant reasoning.

7. If an applicant's application is addressed to a Lithuanian competent authority that is not authorised to grant such authorisation, that authority shall, no later than within five working days from the receipt of the application, forward it to the Lithuanian competent authority authorised to grant such authorisation or to the point of single contact and shall inform the applicant of that, stating the reasons for the forwarding.

#### **Article 8. Number of authorisations, area covered and duration**

1. The Lithuanian competent authority shall grant authorisation to a provider for an unlimited period of time, except where:

- 1) authorisation is extended automatically or is linked to continued fulfilment of the requirements specified in the authorisation procedure;
- 2) the number of available authorisations is limited by overriding public interests;
- 3) the number of authorisations is restricted by shortages in natural resources or technical capacities;
- 4) a limited authorisation period can be justified by overriding public interests.

2. When the number of authorisations for a certain activity is limited due to shortages in natural resources or technical capacities, the Lithuanian competent authorities must use an impartial and transparent procedure for applicant selection. In such cases, authorisation shall not be extended automatically or confer any privileges on a provider whose authorisation expired at least 10 days earlier or a provider with close links to the aforementioned provider in terms of control or participation within the meaning of the Law on Insurance of the Republic of Lithuania, or where the said providers are spouses, close relatives or persons related by affinity. The selection procedures must be established in accordance with the provisions of Articles 5 and 6 of this Law and may take into account the

overriding public interests.

3. The authorisation granted shall entitle a provider to provide services in the entire territory of the Republic of Lithuania. The right to provide services shall also extend to the branches and subsidiaries established by the provider in the Republic of Lithuania if they pursue the activities for which the provider has been granted authorisation. Providers may be required by law to obtain separate authorisations or the validity of authorisations may be restricted to a certain part of the Republic of Lithuania territory if such exceptions are justified by overriding public interests.

4. In accordance with the procedure established by the Government of the Republic of Lithuania or a Government-authorized institution, the provider must supply the point of single contact, or the Lithuanian competent authority directly, with information regarding:

1) the branches and subsidiaries established by a provider in the Republic of Lithuania which intend to begin using or have stopped using the authorisation granted to the provider pursuant to paragraph 3 of this Article;

2) any changes in the conditions relating to the activities pursued by the provider and/or by its branches or subsidiaries established in the Republic of Lithuania which are using the authorisation granted to the provider, any changes in the legal form or legal status or any other changes as a result of which the conditions for authorisation are no longer met;

5. A provider must submit the information referred to in paragraph 4 of this Article in accordance with the procedure prescribed by the Government of the Republic of Lithuania or by a Government-authorized authority within ten days of the day on which that information became known or should have become known to the provider.

### **CHAPTER THREE EXERCISE OF THE FREEDOM TO PROVIDE SERVICES**

#### **Article 9. Free provision of services and exceptions to it**

1. Member State providers shall enjoy unlimited freedom to provide services in the Republic of Lithuania on a temporary basis with the exception of the areas specified in Annex 2 to this Law as well as other cases specified in this Law.

2. The Lithuanian competent authorities shall determine the temporary nature of service provision taking into account the duration, regularity, frequency and continuity of service provision, also the peculiarities of a specific service. The specific criteria for assessing the temporary nature of service provision shall be established in the legislation governing the respective service activities.

3. The laws of the Republic of Lithuania may impose requirements regarding access to and exercise of a service activity on Member State providers rendering services in the Republic of Lithuania on a temporary basis, however these requirements must respect the following principles:

1) the principle of non-discrimination, i.e. the requirements may not directly or indirectly discriminate against a provider on grounds of nationality, residence or Member State of establishment;

2) the principle of necessity, i.e. the requirements must be justified by reasons of public policy, public security, public health or the protection of the environment;

3) the principle of proportionality, which means that requirements must be proportional and appropriate for the desired objective without restricting the freedom to provide services more than it is necessary to achieve the desired objective.

4. In those cases when, pursuant to the principles set out in paragraph 3 of this Article, an authorisation is required before taking up temporary service provision in the Republic of Lithuania, repeated satisfaction of the same or essentially similar requirements and/or controls which the Member State provider has already satisfied in another Member State or in the Republic of Lithuania while

obtaining another authorisation shall not be required. Together with the application for authorisation, such a provider shall submit to the Lithuanian competent authority, directly or via the point of single contact, all the necessary information about these requirements which the provider has satisfied in another Member State or in the Republic of Lithuania.

5. When drafting a legislative act, also having adopted a legislative act imposing the requirements specified in paragraph 3 of this Article, the Lithuanian competent authority shall, in accordance with the procedure prescribed by the Government of the Republic of Lithuania, provide the Government-authorised institution with information about the establishment or elimination of such requirements. This information shall be accompanied by a justification of the set requirements based on the objectives of public policy, public security, public health or environmental protection as well as a statement of their compliance with the principles laid down in paragraph 3 of this Article or shall be accompanied by a statement of the reasons for the elimination of such requirements.

6. Upon receipt of the information referred to in paragraph 5 of this Article from the Lithuanian competent authority, the institution authorised by the Government of the Republic of Lithuania shall, in accordance with the procedure set by the Government of the Republic of Lithuania, notify the European Commission of the establishment or elimination of the requirements referred to in paragraph 3 of this Article and shall present a substantiation of compliance by the set requirements with the provisions of paragraphs 3 and 5 of this Article or shall state the reasons for the elimination of the requirements.

#### **Article 10. Restriction of the freedom to provide services in exceptional cases**

1. Irrespective of the requirements set out in paragraphs 1, 2 and 3 of Article 9 of this Law, the Lithuanian competent authority may, in exceptional cases and in accordance with the procedure specified by law, impose on a provider temporarily providing services in the Republic of Lithuania measures restricting the freedom to provide services in order to ensure the safety of the provided services. Specific measures shall be established in the legislation governing particular service activities.

2. Measures restricting the freedom to provide services in the case specified in paragraph 1 of this Article may be adopted only in line with the procedure laid down in Article 27 of this Law and only if the following conditions exist:

1) No EU legislative acts have been adopted concerning the provisions pursuant to which the measures referred to in paragraph 1 of this Article are taken;

2) the applied measures provide a higher level of protection to the recipients compared to protection that would result from the application of such measures in the Member State of the provider's establishment;

3) the Member State of the provider's establishment has not taken any measures or has taken measures which are insufficient in the opinion of the Lithuanian competent authority;

4) the measures applied are proportional.

#### **Article 11. Rights of recipients**

1. It shall be prohibited to impose restrictions on the right of recipients to use the services provided by Member State providers by establishing the following or similar requirements for recipients:

1) the requirement to obtain authorisation;

2) discriminatory limits on the grant of financial assistance by reason of the fact that the provider is established in another Member State or that the service is provided in another Member State.

2. Discrimination of recipients on grounds of nationality, permanent residence or Member State

of establishment shall be prohibited.

3. When establishing the general conditions for receiving services that are made available to the public, it shall be prohibited to impose requirements discriminating the recipients on grounds of nationality, permanent residence or Member State of the establishment, except when such requirements can be objectively justified.

#### **Article 12. Information provided to recipients by the public institution European Consumer Centre**

1. The public institution European Consumer Centre (hereinafter referred to as 'European Consumer Centre') shall provide recipients with the following information:

1) general information on the requirements applicable in other Member States relating to access to, and exercise of, service activities, in particular those relating to consumer protection;

2) general information on the means of redress available to recipients in other states in the case of a dispute between a provider and a recipient;

3) the contact details of associations or organisations of other states, including the centres of the European Consumer Centres Network, from which recipients may obtain practical assistance.

2. The European Consumer Centre shall provide the information specified in paragraph 1 of this Article orally, in writing, by electronic means or by other telecommunications terminal equipment. The information supplied must be relevant.

3. In fulfilling the requirements set out in paragraph 1 of this Article, the European Consumer Centre shall contact the respective Member State competent authority, if needed.

4. The European Consumer Centre must make sure that any request for information referred to in paragraph 1 of this Article is responded to over a reasonable period of time.

5. If a recipient's request for information is incorrect or relates to information not mentioned in paragraph 1 of this Article and not falling within the competence, the person requesting it shall be notified of that within five working days from the receipt of the request.

6. If a recipient's request for information is incomplete to an extent that the European Consumer Centre cannot deliver the requested information, the recipient shall be informed, within five working days from the receipt of the request, about the necessity to supply additional information.

### **CHAPTER FOUR ENSURING SERVICE QUALITY**

#### **Article 13. Provision of information**

1. In addition to the information specified in the legislation governing the activities of service provision, providers must supply recipients with the following information:

1) the provider's name, legal status and legal form, address and contact details of the seat, in particular the address, the fax number and/or the email address and/or the phone number to contact the provider and to communicate with the provider directly or via electronic means which could be used by a recipient to lodge a complaint or request information about the services provided. If the address of the seat of a provider that is a legal person is different from the address it normally uses for correspondence, the provider shall also give the address of its seat;

2) where a provider is registered in a public register, the name of that register and the provider's registration number or equivalent means of identification in that register;

3) when a service activity is subject to a scheme of authorisation – the details of the authorizing Lithuanian competent authority, Member State competent authority or single point of contact, or the respective single point of contact of the Member State: name, address and contact details;

- 4) if the provider is a VAT payer, the VAT payer code;
- 5) in the case of the regulated professions, any professional body or similar institution with which the provider is registered, the professional title and the Member State in which that title has been granted;
- 6) the general conditions and clauses, if any, used by the provider;
- 7) the existence of contractual clauses, if any, used by the provider concerning the law applicable and the manner and/or place of dispute settlement;
- 8) the existence of an after-sales guarantee, if any, not imposed by law;
- 9) the price of the service, where a price is pre-determined by the provider for a given type of service;
- 10) the main features of the service, if not already apparent from the context;
- 11) the compulsory insurance or guarantees (the contact details of the insurer or guarantor and the territorial coverage, other information).

2. The information referred to in paragraph 1 of this Article, according to the provider's preference, should be:

- 1) supplied by the provider on his own initiative;
- 2) easily accessible to the recipient at the place where the service is provided or the contract concluded;
- 3) easily accessed by the recipient electronically by means of an address supplied by the provider;
- 4) included in any information documents supplied to the recipient by the provider which set out a detailed description of the service in question.

3. Within 5 working days of the receipt of a request from a recipient, providers must supply the recipient with the following additional information:

- 1) where the price is not pre-determined by the provider for a given type of service, the price of the service or, if an exact price cannot be given, the method for calculating the price so that it can be checked by the recipient, or a detailed estimate;
- 2) as regards the regulated professions, a reference to the professional rules applicable in the Member State of the provider's establishment and how to access them;
- 3) information on their multidisciplinary activities, including those carried out on the basis of joint activities (partnerships), which are directly linked to the service in question and on the measures taken to avoid conflicts of interest. That information shall be included in an information document in which providers give a detailed description of their services;
- 4) professional ethics rules (standards) applicable to the provider along with the information on where and in what languages they may be accessed electronically;
- 5) the characteristics of, and conditions for, the use of non-judicial means of dispute settlement where a provider is subject to professional ethics rules (standards) or member of a professional body which provides for recourse to a non-judicial means of dispute settlement.

4. The information referred to in paragraphs 1 of this Article must be made available or communicated in a clear and unambiguous manner, and in good time before conclusion of the contract or, where there is No written contract, before the service is provided.

5. The burden of proof of the fact of provision of information specified in this Law to the recipient and of truthfulness of the information supplied shall be on the provider.

6. Providers that are subject to codes of conduct or that are members of trade associations or professional bodies providing for recourse to a non-judicial means of dispute settlement shall inform the recipient about the application of such codes or about such membership and indicate this fact in the information documents referred to in paragraph 2(4) of this Article.

#### **Article 14. Professional civil liability insurance and guarantees**

1. The legislation may require that providers whose services present a direct and particular risk to the health or safety of the recipient or a third person, or to the financial security of the recipient, subscribe to professional civil liability insurance appropriate to the nature and extent of the risk, or provide a guarantee or similar arrangement which is equivalent or essentially comparable as regards its purpose to professional liability insurance.

2. When a Member State provider exercises his freedom of establishment in the Republic of Lithuania, he shall not be required to have professional liability insurance or a guarantee where he is already covered by a guarantee which is equivalent, or essentially comparable as regards its purpose and the cover it provides in terms of the insured risk, the insured sum or a ceiling for the guarantee and possible exclusions from the cover, in another Member State in which the provider is already established.

3. The legislation requiring a Lithuanian provider to subscribe to professional civil liability insurance or to provide another guarantee shall also stipulate that the Republic of Lithuania recognises attestations of such insurance issued by insurers of other Member States.

4. The requirements regarding professional civil liability insurance, guarantee or equivalent arrangement referred to in paragraphs 1 and 2 of this Article shall not apply to professional civil insurance or guarantee arrangements envisaged in the EU legislation or in Republic of Lithuania legal acts implementing such EU legislation.

#### **Article 15. Commercial communications related to the regulated professions**

1. The Republic of Lithuania may not impose total prohibitions on commercial communications related to the regulated professions.

2. Commercial communications related to the regulated professions must comply with professional rules, in conformity with the requirements of European Union law, which relate, in particular, to the independence, dignity and integrity of the profession, as well as to professional secrecy, in a manner consistent with the specific nature of each profession. Professional rules on commercial communications shall be non-discriminatory, justified by an overriding reason relating to the public interests and proportionate.

#### **Article 16. Multidisciplinary activities**

1. Providers shall not be made subject to requirements which oblige them to exercise a given specific activity exclusively or which restrict a provider's right to exercise several different activities or the exercise of several different activities jointly (in partnership). However, the following providers may be made subject to the said requirements:

1) providers representing the regulated professions, in so far as is justified in order to guarantee compliance with the rules governing professional ethics and conduct, which vary according to the specific nature of each profession, and is necessary in order to ensure their independence and impartiality;

2) providers of certification, accreditation, technical monitoring, test or trial services, in so far as is justified in order to ensure their independence and impartiality.

2. Where multidisciplinary activities between providers referred to in points 1 and 2 of paragraph 1 are authorised, the legislation shall ensure:

1) that conflicts of interest and incompatibilities between several different activities are prevented;

2) that the independence and impartiality required for certain activities is secured;

3) that the rules governing professional ethics and conduct for different activities are

compatible with one another, including the rules on matters of professional secrecy.

#### **Article 17. Complaints by recipients**

A provider must reply to a complaint from a recipient concerning the provision of services within 10 working days of the receipt of the complaint.

### **CHAPTER FIVE ADMINISTRATIVE SIMPLIFICATION**

#### **Article 18. Point of single contact and its functions**

1. The procedure for the activities of the point of single contact and its cooperation with the Lithuanian competent authorities, also the procedure for information submission by the Lithuanian competent authorities to the point of single contact shall be established by the Government of the Republic of Lithuania.

2. In compliance with the legislation related to access to and exercise of a service activity and/or access to certain information, providers and recipients shall have the right to use the services of the point of single contact or to apply directly to the Lithuanian competent authorities, except the courts.

3. The point of single contact shall, in accordance with the procedure prescribed by the Government of the Republic of Lithuania, grant providers and recipients an opportunity to perform all the procedures and formalities related to access to service activities and exercise thereof, i.e.:

1) to submit all the necessary applications, documents and information necessary to receive authorisations, also declarations, notifications or applications addressed to the Lithuanian competent authorities for entry into a register, list or database or for registration with a professional organisation, as well as applications and documents necessary to terminate economic activities;

2) to obtain the authorisations and other documents issued by Lithuanian competent authorities;

3) to receive and provide the information specified in this Law.

4. Upon receipt of a request from a provider or a recipient to perform specific procedures, the point of single contact shall, within two working days, transfer this request and the accompanying documents to the competent authority of the Republic of Lithuania, which shall take the actions prescribed in the legislation of the Republic of Lithuania. Having performed the actions prescribed in the legislation of the Republic of Lithuania (for instance, having decided to issue an authorisation or to supply information etc.), the Lithuanian competent authority, within a time period specified in the legislation of the Republic of Lithuania, shall directly or via the point of single contact respond to provider or recipient that submitted the request and/or other documents. If a request has been lodged with the point of single contact electronically, the Lithuanian competent authority shall also respond electronically or, if the recipient or provider so desires, in writing.

#### **Article 19. Information provided by the point of single contact and Lithuanian competent authorities**

1. In accordance with the procedure established by the Government of the Republic of Lithuania or a Government-authorized institution, the point of single contact shall supply the providers and recipients with the following information:

1) information on the requirements applicable to the providers providing services in the Republic of Lithuania, including procedures and formalities that must be performed in order to obtain access to service activities or to exercise such activities;

2) contact details of the Lithuanian competent authorities;

- 3) information on the means of, and conditions for, accessing registers and databases;
- 4) information on the means of redress which are available in the Republic of Lithuania in the event of a dispute between the Lithuanian competent authorities and the provider or recipient, or between the provider and the recipient, or between providers;
- 5) the contact details of the associations or organisations of the Republic of Lithuania, other than the competent authorities of the Republic of Lithuania, from which providers or recipients may obtain practical assistance;
- 6) general information about the quality assessment criteria.

2. Having filed a request for information referred to in paragraph 1 of this Article with the point of single contact or directly with the Lithuanian competent authority, providers and recipients shall be entitled to receive information on the way in which the requirements referred to in point 1 of paragraph 1 of this Article are generally interpreted and applied. This right does not cover the right to legal consulting in specific cases.

3. The point of single contact and Lithuanian competent authorities shall provide the information specified in paragraphs 1 and 2 of this Article orally, in writing, electronically or by other telecommunications terminal equipment. When possible, the information shall be delivered not only in the state language but also in the language of the other Member State. The information supplied must be relevant.

4. The point of single contact and the Lithuanian competent authorities must make sure that a response to any request for information referred to in paragraphs 1 and 2 of this Article is given within five working days of the receipt of the request.

5. If a request for information is incorrect, the point of single contact or the Lithuanian competent authority shall inform the provider or recipient about that within five days from the receipt of the request.

6. If a request for information has been lodged in disregard of the competence, the point of single contact or a Lithuanian competent authority shall, No later than within five working days of the receipt of such a request, forward it to the Lithuanian competent authority authorised to provide the said information and shall inform the provider or the recipient accordingly, stating the reasons for the forwarding of the request.

#### **Article 20. Procedures and formalities by electronic means**

In accordance with the procedure established by the Government of the Republic of Lithuania or by a Government-authorized institution, the provider and the recipient shall have the right to complete all the procedures and formalities relating to access to a service activity and to the exercise thereof at a distance, by electronic means through the relevant point of single contact, and by means of direct contact with the Lithuanian competent authorities. This provision does not apply to the inspection of premises on which the service is provided or of equipment used by the provider or to physical examination of the capability or of the personal integrity of the provider or of his staff.

#### **Article 21. The conditions of document acceptability**

1. If the laws or other legislative acts require a provider or a recipient to submit to the Lithuanian competent authority a certificate, attestation or another document attesting compliance with a certain requirement, the Lithuanian competent authority shall accept:

1) a document issued by a Member State competent authority showing that such a requirement has been met. The Lithuanian competent authority may not require the original, certified copy or certified translation of a document issued in another Member State, except when submission of the original, certified copy or certified translation of a document issued in another Member State is

required by EU legislation and Lithuanian legislative acts implementing such EU legislation as well as by the Lithuanian legislation aimed to secure overriding public interests;

2) documents of agreed forms adopted by the European Commission on the basis of EU legislation. These forms shall be equivalent to certificates, attestations and any other documents that a provider is required to have and/or to present.

2. When accepting the documents mentioned in paragraph 1(1) of this Article, the Lithuanian competent authority shall have the right to request the translation of the documents into Lithuanian, however this translation does not have to be officially certified.

3. Paragraphs 1(1) and 2 of this Article shall not apply to documents specified in Annex 3 of this Law.

## **CHAPTER SIX**

### **ADMINISTRATIVE COOPERATION**

#### **Article 22. Mutual assistance**

1. The Lithuanian competent authorities shall cooperate with Member State competent authorities and with the European Commission via the IMI system. The procedure of access to and use of the internal market information (IMI) system shall be established by the Government of the Republic of Lithuania or by an institution authorised by the Government.

2. The Government of the Republic of Lithuania shall provide other Member States as well as the European Commission with the contact details of the Lithuanian public authority carrying out the functions of a liaison point.

3. A liaison point shall perform the following functions:

1) coordinate administrative cooperation via the IMI system between the Lithuanian competent authorities and the Member States competent authorities as well as the European Commission;

2) provide professional assistance to Lithuanian competent authorities as well as information to the Member State competent authorities and the European Commission via the IMI system, when the steps referred to in paragraph 4 of this Article are carried out;

3) provide professional assistance to the Lithuanian competent authorities in implementing Article 10 of this Law;

4) provide professional assistance to Lithuanian competent authorities in implementing Article 6(3) and Article 9(4) of this Law;

5) keep contacts with the liaison points of other Member States;

6) perform other functions prescribed by the Government of the Republic of Lithuania.

4. In cooperating with the Member State competent authorities, the Lithuanian competent authorities shall perform the following actions:

1) upon a request from the competent authorities of the Member State in which the service is provided, shall supply information about Lithuanian providers and the services they render, also provide information on whether a provider is established in the territory of the Republic of Lithuania and whether, to its knowledge, he is not exercising his activities in an unlawful manner;

2) upon a request from the competent authorities of the Member State in which the service is provided, shall carry out checks, inspections and investigations of Lithuanian providers and/or their activities in accordance with the procedure prescribed by the legislation of the Republic of Lithuania;

3) upon a request from the competent authorities of the Member State of establishment, shall carry out checks, inspections and investigations of the providers established in that Member State temporarily providing services in the Republic of Lithuania and/or their activities.

4) when necessary, shall file with the competent authorities of the Member State of establishment requests for information about the providers established in that Member State who temporarily provide services in the Republic of Lithuania as well as about their services, also requests for confirmation that the provider is established in the territory of that Member State and that he is not, to their knowledge, exercising the activities unlawfully;

5) when necessary, shall file with the competent authorities of the Member State of establishment requests regarding checks, inspections and investigations of Member State providers rendering services in the Republic of Lithuania on a temporary basis;

6) when necessary, shall file with Member State competent authorities requests regarding checks, inspections and investigations of Lithuanian providers rendering services in those Member States on a temporary basis;

7) in accordance with their competence, shall ensure that public register data are supplied to Member State competent authorities following the same procedure that is applicable to the Lithuanian competent authorities.

5. In line with the Lithuanian legislation, Lithuanian competent authorities shall apply the most suitable measures required in specific cases in order to speed up the process of delivering the information requested by Member State competent authorities or to carry out other steps referred to in paragraph 4 of this Article.

6. Lithuanian competent authorities shall submit the information and requests referred to in paragraph 4 of this Article to Member State competent authorities electronically via the IMI system. If necessary, the Lithuanian competent authority may ask a liaison point for assistance.

7. The Lithuanian competent authorities shall use the information obtained while performing the functions specified in Articles 22-27 of this Law exceptionally for the purposes set out in the request for information.

8. Having completed the checks, inspections or investigations referred to in paragraphs 4(2) and 4(3) of this Article, Lithuanian competent authorities must supply the Member State competent authorities that submitted the request with information about the outcome, including information about measures that were applied or envisaged in respect of providers and their services. If a decision not to take any measures was adopted, information on the reasons for such a decision shall be provided.

9. If a Lithuanian competent authority cannot satisfy a request from a Member State competent authority referred to in paragraphs 4(1), 4(2) and 4(3) of this Article due to valid reasons, it shall immediately notify the requesting Member State competent authority accordingly.

10. Lithuanian providers must supply Lithuanian competent authorities with all the information necessary to supervise their activities in line with the legislation of the Republic of Lithuania.

### **Article 23. Exchange of information on provider reputation**

1. Upon a reasoned request from a competent authority of another Member State, Lithuanian competent authorities, within their competence, shall provide information on the judgements in administrative and criminal proceedings with regard to providers as well as on the decisions concerning application of economic sanctions or disciplinary liability and decisions regarding insolvency and bankruptcy involving fraud that are directly relevant to the competence and professional reputation of the provider. Lithuanian competent authorities shall specify the provisions of the Republic of Lithuania legislation based on which the provider has been declared guilty or punished. Having supplied the information referred to in this paragraph, the Lithuanian competent authority shall inform the provider about the provision of such information.

2. The decisions in administrative and criminal proceedings referred to in paragraph 1 of this Article, decisions on economic sanctions and disciplinary liability as well as other decisions shall be

notified to Member State competent authorities only when a final and conclusive decision has been adopted. In the other cases referred to in paragraph 1 of this Article, the Lithuanian competent authority shall provide information on whether a certain decision is final or has been appealed against, also information on the expected date of a final decision.

3. The Lithuanian competent authority shall have the right to submit to a Member State competent authority a reasoned request for information about the decisions referred to in paragraph 1 of this Article, falling within the competence of the Member State competent authority.

4. The Lithuanian competent authorities shall post the public information referred to in paragraph 1 of this Article, which is public information according to the legislation of the Republic of Lithuania, on their websites.

#### **Article 24. Alert mechanism**

1. Where the Lithuanian competent authority becomes aware of specific acts or circumstances that could have serious consequences for human safety and health and/or for the environment in the Lithuanian territory or in the territories of Member States, it shall immediately notify the Member State of the provider's establishment, other Member States concerned and the Commission of the European Communities and take the measures envisaged in Articles 22, 23, 25, 26 and 27 of this Law.

2. The notification referred to in paragraph 1 of this Article shall be delivered via the IMI system.

3. The decision to inform the Member States referred to in paragraph 1 of this Article as well as the European Commission in accordance with the procedure laid down in paragraph 1 of this Law shall be notified without delay by the Lithuanian competent authority to the provider in whose respect the decision was adopted.

#### **Article 25. Supervision of Lithuanian providers temporarily providing services in other Member States**

1. The Lithuanian competent authority shall, within the limits of its competence, oversee compliance by Lithuanian providers with the requirements set in the legislation of the Republic of Lithuania regardless of whether they provide services in the Republic of Lithuania or temporarily in another Member State.

2. Should it be necessary to carry out checks, inspections or investigations of Lithuanian providers providing services in other Member States on a temporary basis, Lithuanian competent authorities shall submit requests via the IMI system to Member State competent authorities concerning the performance of such actions in accordance with the procedure prescribed in Article 22 of this Law.

#### **Article 26. Supervision of Member State providers temporarily providing services in the Republic of Lithuania**

1. Lithuanian competent authorities shall take necessary measures and carry out checks, inspections and investigations to make sure that Member State providers temporarily providing services in the territory of the Republic of Lithuania conform with the requirements laid down in the Lithuanian legislation pursuant to Article 9(3) of this Law.

2. The Lithuanian competent authorities shall have the right to conduct, on their own initiative, on-site checks, inspections and investigations of the providers referred to in paragraph 1 of this Article, provided that those checks, inspections or investigations are not discriminatory, are not motivated solely by the fact that the provider is established in another Member State and are proportionate.

**Article 27. Mutual assistance in restricting the freedom of Member State providers to temporarily provide services the Republic of Lithuania in exceptional cases**

1. When planning the application of the provisions under Article 10 of this Law, the Lithuanian competent authority shall follow the procedure laid down in this Article.

2. In the cases specified in Article 10 of this Law, the Lithuanian competent authority shall submit a request to the competent authority of the Member State of the provider's establishment regarding the application of measures to a specific provider, accompanied with the justification for the request.

3. Having received a reply from the competent authority of the Member State of the provider's establishment to the request referred to paragraph 2 of this Article and considering that the application of the measures indicated in Article 10 of this Law remains justified, the Lithuanian competent authority shall inform the European Commission and the Member State of the provider's establishment about its intention to take measures, specifying:

1) the reasons why it believes the measures taken or envisaged by the Member State of the provider's establishment are inadequate;

2) the reasons why it believes the measures it intends to take fulfil the conditions laid down in Article 10 of this Law.

4. The Lithuanian competent authority may take the measures referred to in Article 10 of this Law no sooner than 15 working days after the day of sending the notification referred to in paragraph 3 of this Article.

5. In the case of a serious direct threat or actual damage to human health or life or to the safety of property, the Lithuanian competent authority may apply the measures specified in Article 10 of this Law without following the procedure established in paragraphs 2, 3 and 4 of this Article. In such cases, the Lithuanian competent authority shall immediately inform the European Commission and the competent authority of the Member State of the provider's establishment about the application of the measures and the reasons for this.

6. Should the European Commission adopt a decision declaring the measures taken by the Lithuanian competent authority incompatible with the European Union law, the Lithuanian competent authority must terminate the application of such measures.

**CHAPTER SEVEN  
FINAL PROVISIONS**

**Article 28. Implementation of the Law**

The Government of the Republic of Lithuania and the Government-authorized institutions shall adopt the legislation necessary for the implementation of this Law by 28 December 2009.

**Article 29. Entry into force of the Law**

This law, except for Article 28, shall come into force as of 28 December 2009.

*I promulgate this Law passed by the Seimas of the Republic of Lithuania.*

PRESIDENT OF THE REPUBLIC

DALIA GRYBAUSKAITĖ

**Annex 1**  
**to the Law on Services of the Republic of Lithuania**

**FINANCIAL SERVICES EXCLUDED FROM THE SCOPE OF THE LAW ON SERVICES  
OF THE REPUBLIC OF LITHUANIA**

1. Acceptance of deposits and other repayable funds.
2. Lending, including consumer loans, mortgages and factoring transactions (with or without recourse), and funding of commercial transactions (including forfeiting).
3. Financial lease.
4. Services that are subject to the Law of the Republic of Lithuania on Payments.
5. Issuance and administration of travellers' cheques, bills and other payment instruments, if such activities do not fall within paragraph 4 of this Annex.
6. Guarantees and commitments.
7. Trading for own account or for account of customers in:
  - 1) money market instruments (cheques, bills, certificates of deposit, etc.);
  - 2) foreign currency;
  - 3) financial futures and options;
  - 4) currency exchange and interest rate instruments;
  - 5) transferable securities.
8. Participation in securities issues and the provision of services related to such issues.
9. Advice to undertakings on capital structure, business strategy and related issues and services relating to mergers and acquisition of undertakings.
10. Financial brokerage services.
11. Financial portfolio management and advice.
12. Safekeeping and administration of securities.
13. Credit reference services.
14. Safe custody services.
15. Issuance of e-money.
16. Services that are subject to the Law of the Republic of Lithuania on Markets in Financial Instruments.
17. Services that are subject to the Law of the Republic of Lithuania on Collective Investment Undertakings.

**Annex 2**  
**to the Law on Services of the Republic of Lithuania**

**AREAS EXCLUDED FROM THE SCOPE OF ARTICLE 9 OF THE LAW ON SERVICES  
OF THE REPUBLIC OF LITHUANIA**

1. General economic interest services rendered in the Republic of Lithuania, including:
  - 1) water distribution and supply services and wastewater management services;
  - 2) waste management services;
  - 3) postal services falling within the scope of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 15, 21.1.1998, p. 14), as last amended by Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 (J L 52, 27.2.2008, p. 3);
  - 4) electrical energy sector services falling within the scope of Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC (OJ L 27, 30.1.1997, p. 20) as last amended by Directive 2008/3/EC of the European Parliament and of the Council of 15 January 2008 (OJ L 17, 22.1.2008, p. 6);
  - 5) gas energy sector services falling within the scope of Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94);
  - 6) heat energy sector services falling within the scope of the Law on Energy of the Republic of Lithuania and the Law on Heat Sector of the Republic of Lithuania;
  - 7) oil energy sector services falling within the scope of the Law on Energy of the Republic of Lithuania and the Law of the Republic of Lithuania on State Stocks of Petroleum Products and Crude Oil.
2. Legal relations governed by Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1).
3. Legal relations governed by Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31) as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003 (OJ L 284, 31.10.2003, p. 1).
4. Legal relations governed by Commission Directive 77/249/EEC of 22 March 1977 to facilitate the effective exercise by lawyers of freedom to provide services (OJ L 78, 26.3.1977, p. 17) as last amended by Council Directive 2006/100/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 141).
5. Recovery of debts by court action.
6. Legal relations governed by Title II of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22) as last amended by Commission Regulation (EC) No 279/2009 of 6 April 2009, also those governed by Articles 5-9 of the Law of the Republic of Lithuania on the Recognition of Regulated Professional Qualifications, and statutory requirements that certain activities should be exercised only by representatives of certain professions.
7. Legal relations governed by Council Regulation (EEC) No 1408/71 of 14 June 1971 on the

application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community (OJ L 149, 5.7.1971, p. 2) as amended by Regulation No 592/2008 of the European Parliament and of the Council of 17 June 2008 (OJ L 177, 4.7.2008, p. 1).

8. Administrative formalities concerning the free movement of persons and their residence to the extent covered by the provisions of Directive 2004/38/EC of the European Parliament and the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, amending Regulation (EEC) 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC (OJ L 158, 30.4.2004, p. 77) that lay down the administrative formalities that beneficiaries must undertake before Lithuanian competent authorities when a service is provided in the Republic of Lithuania

9. In cases where third-country nationals move from one Member State to another Member State in the context of the provision of a service, the possibility for Member States to require visa or residence permits for third-country nationals who are not covered by the mutual recognition regime provided for in Article 21 of the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at the common borders (OJ L 239, 22.9.2000, p. 19), as last amended by Council Regulation (EC) No 1104/2008 (OJ L 299, 8.11.2008, p. 1), or the possibility to oblige third-country nationals to report to the competent authorities of the Republic of Lithuania in which the service is provided on or after their entry.

10. Transportation of waste when Regulation No 1013/2006 of the European Parliament and of the Council (EC) on shipments of waste (OJ L 190, 12.7.2006, p. 1) as amended by Commission Regulation (EC) No 368/2009 of 15 April 2009\* (OJ 2009 L 97, p. 8) is applicable.

11. Copyrights and related rights, the rights of database producers as well as the rights within the scope of Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products (OJ L 24, 27.1.1987, p. 36) and Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases (OJ L 77, 27.3.1996, p. 20), also industrial property rights.

12. Acts requiring certification by a notary in accordance with the laws of the Republic of Lithuania.

13. Legal relations covered by Directive 2006/43/EC of the European Parliament and of the Council of 17 May 2006 on statutory audit of annual accounts and consolidated accounts (OJ L 157, 9.6.2006, p. 87);

14. Registration of vehicles leased in another Member State.

15. Provisions regarding contractual and non-contractual obligations, including the form of contracts, determined pursuant to the rules of private international law.

\* Translator's note: the Lithuanian original refers to Commission Regulation (EC) No 368/2009 of 15 April 2009, but presumably Commission Regulation (EC) No 308/2009 of 15 April 2009 is meant.

**Annex 3**  
**to the Law on Services of the Republic of Lithuania**

**DOCUMENTS SPECIFIED IN THE LEGISLATION THAT ARE EXCLUDED FROM  
THE SCOPE OF PARAGRAPHS 1(1) AND 2 OF ARTICLE 21 OF THE LAW ON  
SERVICES OF THE REPUBLIC OF LITHUANIA**

1. The documents mentioned in Article 7(4) and Article 46 of the Law of the Republic of Lithuania on the Recognition of Regulated Professional Qualifications.

2. The documents mentioned in Articles 48, 51(2) and 51(4) of the Law of the Republic of Lithuania on Public Procurement.

*Amendments to the paragraph:*

*No XIII-332, 02/05/2017, published in the Register of Legislation on 04/05/2017, ID code 2017-07555*

3. The documents referred to in Article 64(3)(2) of the Law on the Bar of the Republic of Lithuania.

4. The documents referred to in the Law on Companies of the Republic of Lithuania that must be disclosed.

**Annex 4**  
**to the Law on Services of the Republic of Lithuania**

**EUROPEAN UNION LEGISLATION IMPLEMENTED**

Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12.2006, p. 36).

**Amendments:**

1.  
Seimas of the Republic of Lithuania, Law No XIII-332, 04/05/2017,  
published in the Register of Legislation on 04/05/2017, ID code 2017-  
07555 Law amending Annex 3 to Law No XI-570 on Services of the  
Republic of Lithuania